

STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

July 18, 2007

The regular meeting of the New Hampshire Board of Pharmacy was held on **July 18, 2007** at the Board of Pharmacy office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:01 a.m.** with President Kristina Genovese presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

Kristina Genovese, President
George L. Bowersox, Vice-President
Vahrij Manoukian, Treasurer
Sandra B. Keans, Secretary
Margaret E. Hayes, Member
Ronald L. Petrin, Member

ALSO PRESENT

Paul G. Boisseau,
Executive Secretary
Margaret A. Clifford,
Compliance Investigator
Carl T. Kelly,
Compliance Investigator

II. REVIEW/ADOPTION OF MINUTES

Minutes of the **June 20, 2007 regular meeting** of the Board were **accepted as submitted. (Bowersox/Hayes). Voted (unanimous).**

III. LICENSING

A. **Pharmacist**

1. Disciplinary Hearing

Ferreira, Michael J.

Atlanta, GA

- NH License No. 2397

- Case File: ROI 84/07

The Board reviewed the *Notice of Hearing* issued to Mr. Ferreira on June 5, 2007 relative to his failure to respond to the audit (request) of his 2006 continuing education documents for his 2007 NH license to practice pharmacy.

Mr. Ferreira was not present for the hearing nor did he communicate with the Board to provide any reason for his absence. Accordingly, as indicated in the *Notice of Hearing*, the adjudicatory proceeding was conducted in *absentia*.

Motion (Petrin/Keans) to revoke Mr. Ferreira's NH license No. 2397 effective immediately. Voted (unanimous).

2. Request for Reinstatement

ILLINGWORTH, Gary D.

Bellows Falls, VT

- NH License No. R0908
- Case File: ROI 58/06

Motion (Petrin/Keans) to *conditionally reinstate* Mr. Illingworth's license to practice pharmacy in NH. Such conditions shall remain in effect for a period of 5-years and may be amended after 3-years upon the petition of Mr. Illingworth. Voted (passed – Commissioner Genovese recused).

B. Pharmacy Technician

Voluntary Surrender

ELLIS, Grace-Ellyn

Concord, NH

- NH Pharmacy Technician Registration No. PT5095
- Case File: ROI 86/07

Motion (Petrin/Manoukian) to accept the *Voluntary Surrender* of pharmacy technician registration No. PT5095 issued to Grace-Ellyn Ellis effective immediately. Voted (unanimous).

C. Pharmacy

1. Settlement Agreement

(a) **ELITE PHARMACY**

River Ridge, LA

- NH Mail-Order Pharmacy Registration No. NR0509
- Case File: ROI 76/07

Motion (Bowersox/Hayes) to approve and accept a proposed *Settlement Agreement* as negotiated with Elite Pharmacy which,

among other conditions, includes the revocation of Elite Pharmacy's NH registration and an administrative fine of \$6,000. Voted (unanimous).

(b) COOKS PHARMACY

Shavertown, PA

- NH Mail-Order Pharmacy Registration No. NONE
- Case File: ROI 67/07

Motion (Manoukian/Bowersox) to approve and accept a proposed *Settlement Agreement* as negotiated with Cook's Pharmacy which, among other conditions, includes an administrative fine of \$6,000. Voted (unanimous).

2. Motion to Table

(a) SOUTHWOOD PHARMACEUTICALS

Lake Forest, CA

- NH Manufacturer/Wholesaler/Distributor Permit No. 4568

Motion (Manoukian/Petrin) to table Southwood's 2007-08 renewal application to the August 15, 2007 monthly meeting of the Board. Voted (unanimous).

(b) RICHIE PHARMACAL COMPANY, LLC

Glasgow, KY

- NH Manufacturer/Wholesaler/Distributor Permit No. 4477

Motion (Manoukian/Petrin) to table Richie Pharmacal's 2007-08 renewal application to the August 15, 2007 monthly meeting of the Board. Voted (unanimous).

3. Extension-of-Time

WALGREENS #10108

17 Crystal Avenue
Derry, NH 03038

Pharmacist-In-Charge: **Diane S. Sweeney, R.Ph.**
NH Pharmacist License No. R1929
Owner/Corporate Officer/Supervisor: **Leo Lariviere, R.Ph.**
Pharmacy Supervisor

Application reviewed and accepted by the Board on May 16, 2007.

Motion (Manoukian/Keans) to grant an extension-of-time relative to the inspection and issuance of the pharmacy permit for the above-referenced pharmacy due to unexpected construction delays. This 60-day extension, to expire on October 18, 2007, is granted on the condition that no changes to the pharmacy area have occurred, or are intended to occur, pursuant to the schematics as approved by the Board on May 16, 2007. Voted (unanimous)

IV. COMPLIANCE UNIT

Activity Report

- June 2007

Motion (Manoukian/Bowersox) to accept the report as submitted. Voted (unanimous).

V. NEW BUSINESS

Board Appointment to the (Board of Optometry) *Joint Pharmaceutical Formulary and Credentialing Committee*

Motion (Manoukian/Petrin) to appoint Margaret E. Hayes, R.Ph. to the JPFCC for a 5-year term effective August 1, 2007 and expiring on July 31, 2012 and according to the provisions of Chapter 327 (Optometry). Voted (passed – Commissioner Hayes abstaining).

Note: Hayes replaces George Bowersox, R.Ph., whose 5-year term expires July 31, 2007.

The meeting was recessed at 11:00 A.M.

A non-public session was called (Manoukian/Keans) at 11:05 A.M. with Commissioners Bowersox, Genovese, Hayes, Keans, Manoukian, and Petrin present.

Discussions and/or decisions occurring during this non-public (confidential) session were according to RSA 91-A:3, I & II and involved information pursuant to ongoing investigations as reported by the Board's Compliance Investigator(s) and/or the Office of the Attorney General, the disclosure of which would likely adversely affect a person's reputation and/or would render the Board's proposed action ineffective.

The non-public session was adjourned at 11:21 A.M.

The regular meeting was reconvened at 11:21 A.M.

VI. ADJOURNED 11:22 A.M.

Respectfully submitted,

Sandra B. Keans
Secretary
FOR THE BOARD